

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana  
  
Kathryn H. Vratil  
United States District Court  
District of Kansas  
  
David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Northern District of Texas  
  
Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California  
  
David G. Trager  
United States District Court  
Eastern District of New York

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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January 13, 2010

Richard W. Wieking, Clerk  
2112 U.S. Courthouse  
280 South First Street  
San Jose, CA 95113

Re: MDL No. 2040 -- IN RE: ConocoPhillips Co. Service Station Rent Contract Litigation

(See Attached CTO-5)

Dear Mr. Wieking:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on December 29, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 14 days to give any party an opportunity to oppose the transfer. The 14-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A Panel Service List is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By Tarrell L. Littleton  
Tarrell L. Littleton  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Ronald M. Whyte

JPML Form 36A

**IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

**PANEL SERVICE LIST (CTO-5)**

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